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9
 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **(SAN JOSE DIVISION)**

13 TUNG X. NGUYEN) Case No.: C07-05281 JF
 14 Plaintiff,)
 15 vs.) **DECLARATION OF TUNG X. NGUYEN**
 16 ROY GADRI dba Van Nuys Financial) **IN SUPPORT OF AN APPLICATION FOR**
 17 Defendant.) **DEFAULT JUDGMENT**
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)

17 **DECLARATION OF TUNG X. NGUYEN**

18 1. I make this declaration based on my own personal knowledge, except for those
 19 statements based on information and belief, and as to those matters I believe them to be
 20 true, and if called upon as a witness could and would testify thereto.

21 2. My name is Tung X. Nguyen and I am 59 years old.

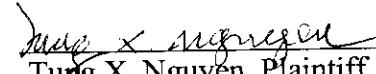
22 3. I live at 3183 Summer Creek Drive, San Jose, California.

23 4. I was born and raised in Vietnam and I work as a lamination technician to support my
 24 family.

25 5. On or about November 6, 2006, I received a letter from Van Nuys Financial requesting
 that I pay \$22,685 for an outstanding balance with Citibank.

- 1 6. On or about November 8, 2006, I wrote a letter to Van Nuys Financial informing them
- 2 that I never had an account with Citibank.
- 3 7. On or about December 20, 2006 Van Nuys Financial served me with a Summons and
- 4 Complaint.
- 5 8. On or about February 21, 2007, Van Nuys Financial obtained a Default Judgment against
- 6 me.
- 7 9. On or about March 4, 2007, I received a "Lien Notice" in the mail.
- 8 10. As a result of the actions taken by Van Nuys Financial, from December 20, 2006 through
- 9 April 9, 2007, I suffered from anxiety. My anxiety was not merely on my own account,
- 10 but also for my wife (who cried from the stress and worry of possibly losing the house
- 11 during this period).
- 12 11. As a result of that anxiety, the amount of sleep I got each night decreased from about 7
- 13 hours, to about 4 hours each night. Also I suffered from severe headaches during that
- 14 time period on a nearly daily basis. I monitor my own blood pressure. During this period
- 15 my blood pressure went from the range of 117-125 to an average of 150. I attribute all
- 16 these problems to the stress I felt from having the lien placed on my house.

17
18 I declare under penalty of perjury that the forgoing is true and correct and that this Declaration
19 was executed in San Jose, California on May 13, 2008.

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21 
Tung X. Nguyen, Plaintiff